



Federal Hazardous Air Pollutant Standard: Paint Stripping at Area Sources

Michigan Department of Environmental Quality • Environmental Science & Services Division • 800-662-9278



Picture courtesy of AkzoNobel

This fact sheet is designed to help Michigan facilities that engage in **paint stripping** comply with the requirements found in the *NESHAP for Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources (Rule)*. This fact sheet does not contain a review of the entire Rule, but provides an overview of who is subject to the new Rule, the requirements, compliance dates, information about related MIOSHA standards, and where to go for additional help. It is to be used only as a guide and is not a substitute for reading and understanding the final Rule.

OVERVIEW OF THE RULE

One of the goals of the Federal Clean Air Act is to reduce the emission of hazardous air pollutants (HAPs). The reduction of HAPs is achieved through the promulgation of emission standards for categories of sources that emit HAPs. The U.S. Environmental Protection Agency (U.S. EPA) identified 30 HAPs that pose the greatest threat to public health in urban areas. The U.S. EPA has identified categories of area sources (small emitters of HAPs) that account for 90% of the releases of the 30 urban HAPs and are now promulgating standards to reduce the emissions of the urban HAPs. These federal standards are referred to as the National Emission Standards for Hazardous Air Pollutants (NESHAP).

The *NESHAP for Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources (Rule)* was proposed in the Federal Register on September 17, 2007, and the final Rule was promulgated on January 8, 2008. The Rule regulates three activities:

- 1) paint stripping using methylene chloride.
- 2) surface coating of motor vehicles and mobile equipment.
- 3) surface coating of miscellaneous metal and/or plastic parts.

The final Rule is found in the Federal Register notice published January 9, 2008 (pages 1760-1768). The Rule can be found at <http://www.epa.gov/fedrgstr/EPA-AIR/2008/January/Day-09/a24718.pdf>. The notice will be published in Title 40, Part 63, Subpart HHHHHH of the Code of Federal Regulation (40 CFR 63). To assist you in cross referencing the Federal Register notice, sections of the Subpart are identified throughout the fact sheet (e.g. §63.11180).

Applicability

The Rule applies to **area sources**. An area source has the potential to emit less than 10 tons per year of a single hazardous air pollutant (HAP) and less than 25 tons per year of any combination of HAPs. If a facility emits more than these amounts, they are **major sources**. If you need assistance in determining whether or not your facility is an area source, please contact the Environmental Assistance Program at (800) 662-9278.

Your facility is subject to the Rule if it is an **area source** and you perform paint stripping using methylene chloride (MeCl) for the removal of dried paint (includes paint, enamel, varnish, shellac, and lacquer) from wood, metal, plastic and other substrates.

The Rule **does not apply** to:

- Individuals who paint strip their own vehicles, possessions or property either as a hobby or for maintenance.
- Individuals who paint strip other individuals' vehicles, possessions or property without compensation.
- Installations owned or operated by the Armed Forces of the United States (including the Coast Guard and the National Guard).
- Military munitions (ammunition products and components) manufactured by or for the Armed Forces of the U.S. or equipment used for the purposes of transporting military munitions.
- Research and laboratory activities as defined in §63.11180.
- Quality Control activities as defined in §63.11180.

Definitions of New and Existing Sources

The date by which you should be in compliance with the requirements depends on whether your paint stripping operation is considered “new” or “existing.”

A **new source** means the initial startup of the paint stripping operation at the facility occurred after September 17, 2007.

An **existing source** means that the facility was engaged in paint stripping on or before September 17, 2007 or the facility began the installation of the paint stripping equipment on or before this date.

General Requirements

Paint stripping operations that use MeCl must implement “Best Management Practices” to minimize evaporative emissions of MeCl. At a minimum you must:

- Evaluate each application to ensure there is a need for paint stripping. [§63.11173(a)(1)]
- Evaluate each application using MeCl to ensure there is no alternative technology that can be used. Remember, if you don't use MeCl in your paint stripping operations, you won't have to comply with the Rule. Look for MeCl alternatives. [§63.11173(a)(2)]

Reduce exposure of paint strippers containing MeCl to the air. [§63.11173(a)(3)]

- Optimize application conditions to reduce evaporation (e.g., maintaining low temperatures to reduce evaporation when the stripper is heated). [§63.11173(a)(4)]
- Practice proper storage and disposal of paint strippers (e.g., store in closed, air-tight containers). [§63.11173(a)(5)]

If your paint stripping operations use more than one ton of MeCl annually, you must:

1. Implement “Best Management Practices” as outlined above. [§63.11173(b)]
2. Develop and implement a written MeCl Minimization Plan. This plan must be kept on-site. [§63.11173(b)]
3. Post a placard or sign outlining the MeCl minimization plan in each area where paint stripping using MeCl occurs. [§63.11173(b)]

Compliance Dates

For existing sources, compliance with the general requirements must be achieved by January 10, 2011. For new sources, the compliance date is January 9, 2008. If you are starting up a new source after January 9, 2008, your compliance date is the date on which you start up the paint stripping operation.

Initial Notification/Compliance Certification Requirements

The Rule requires: 1) an initial notification identifying basic information about the facility, and 2) certification of compliance status with the general requirements of the Rule. For a form you can use to comply with both requirements, go to www.michigan.gov/deqenvassistance. Select “Clean Air Assistance” under “Related Links,” and then select “Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources” under “Federal Regulations.”

Compliance Dates

If your facility is a new source, you can satisfy both notifications at once. New sources must submit the initial notification and certification of compliance status no later than 180 days after initial startup or July 7, 2008, whichever is later.

Existing sources must submit the initial notification by January 11, 2010 and the certification of compliance status by March 11, 2011. If your facility is in compliance with the general requirements at the time you submit the initial notification, you can satisfy both requirements at the same time. If not, you will need to submit a separate certification of compliance status by March 11, 2011.

Recordkeeping Requirements

The following records must be maintained:

- Copies of your Initial Notification and Certification of Compliance Status, and all submitted copies of the Annual Notification of Changes report. [§63.11177(d)]
- Records of paint strippers containing MeCL used including the MeCL content (e.g. material safety data sheets). [§63.11177(e)]

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- Records of annual usage of MeCL containing paint strippers (e.g., purchase receipts). [§63.11177(e)]
 - If you use more than one ton of MeCl per year, you are required to maintain a record at the facility engaged in paint stripping of your most current MeCl minimization plan, and the annual review of, and updates to, the plan. [§63.11177(f)]
 - Records of any deviations from the general, notification and reporting requirements of this Rule. Include the date and time period of the deviation and a description of the deviations and actions taken to correct the deviation. [§63.11177(g)]
 - Any documents supporting the claims made in your Initial Notification, Certification of Compliance Status, and annual notification of changes report. (§63.11177(h))

Records (either in a printed or electronic format) must be maintained for at least five years after the date of each record. Copies of records must be kept at the facility conducting the paint stripping operations and made available for inspection for at least 2 years after their date and may be kept offsite after that 2 year period.

Compliance Dates

For existing sources, compliance with the recordkeeping requirements must begin by January 10, 2011. For new sources, records must be kept beginning on January 9, 2008. If you are starting up a new source after January 9, 2008, your compliance date is the date on which you start up the paint stripping operation.

Reporting Requirements

You must submit an Annual Notification of Changes Report in which information previously submitted in the Initial Notification, Certification of Compliance Status, and/or Annual Notification of Changes Report has changed. Non-compliance with the general requirements of the Rule is considered a reportable change. The report must be submitted no later than March 1 of the following calendar year that the changes occurred.

If you did not develop and implement a written MeCl Minimization Plan and you used more than one ton of MeCl in a calendar year, then you must submit an Annual Notification of Changes Report no later than March 1 of the following calendar year. A written MeCl Minimization Plan for paint stripping operations must be developed and implemented by no later than December 31 of the same year the Notification of Changes Report is filed.

The Annual Notification of Changes Report must contain information listed in §63.11176 (a)(1) and (2) of Subpart HHHHHH. Send the report to:

Compliance Tracker (AE-17J)
77 West Jackson Blvd.
Chicago, IL 60604

SUMMARY OF COMPLIANCE DATES

REQUIREMENTS	SOURCE TYPE	
	NEW	EXISTING
General	January 9, 2008 or 180 days after startup, whichever is later	January 10, 2011
Initial Notification	July 7, 2008 or 180 days after initial startup, whichever is later.	January 11, 2010
Compliance Certification	July 7, 2008 or 180 days after initial startup, whichever is later.	March 11, 2011
Recordkeeping	January 9, 2008 or 180 days after startup, whichever is later	January 10, 2011
Reporting	March 1 of the following calendar year that the changes occurred.	March 1 of the following calendar year that the changes occurred.

MIOSHA STANDARDS

The Michigan Occupational Safety and Health Act (MIOSHA) established commissions to set standards to protect the health and safety of Michigan's employees. The MIOSHA standards that may apply to the methylene chloride paint stripping operations are as follows.

MIOSHA Part 313, Methylene Chloride
MIOSHA Part 526, Dipping and Coating Operations
MIOSHA Part 430, Hazard Communication
MIOSHA Part 451, Respiratory Protection
MIOSHA Part 433, Personal Protective Equipment

The standards are located at www.michigan.gov/miosha. Select "Standards & Legislation," and then "General Industry." For more information on MIOSHA standards, contact the MIOSHA Consultation Education and Training Division (CETD) at (517) 322-1809.

Where to Go For Help

Environmental Assistance Program (EAP):

The DEQ's Environmental Assistance Program offers free assistance to small businesses with environmental questions. Call us at (800) 662-9278 from 8:00 am to 4:00 pm Monday through Friday.

Michigan Department of Environmental Quality
Environmental Assistance Program
P.O. Box 30457
Lansing, MI 48909-7957

The EAP can help companies understand and comply with federal and state regulations that protect our air, water, and land. This document, along with fact sheets describing this Rule's requirements pertaining to the surface coating of motor vehicles and mobile equipment; and the surface coating of miscellaneous metal and plastic parts are located at www.michigan.gov/deqenvassistance. Select "Clean Air Assistance" under "Related Links" and then select "Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources" under "Federal Regulations."